IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SUSAN CHANG, AS NEXT FRIEND OF ALISON CHANG, A MINOR, AND JUSTIN HO-WEE WONG,	§	
Plaintiffs,	§	C.A. No. 3-07-CV-01767-ECF
V.	§	
VIRGIN MOBILE USA, LLC, VIRGIN MOBILE PTY, LTD., AND CREATIVE COMMONS CORPORATION,	§	
Defendants.	§	

DEFENDANT VIRGIN MOBILE PTY, LTD.'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER AND/OR OTHERWISE RESPOND TO PLAINTIFFS' ORIGINAL PETITION

Virgin Mobile Pty, Ltd. ("Virgin Australia") is a foreign corporation that has been recently served with process through the Texas Secretary of State while the case was pending in the 134th Judicial District Court of Dallas County, Texas. Prior to filing any answer and/or response, the above state court action was removed by Virgin Mobile USA, LLC ("Virgin U.S.") on October 19, 2007, and later by Creative Commons Corporation ("Creative") on October 22, 2007.

The counsel identified below was first contacted by Virgin Australia's representatives on Thursday, November 8, 2007. Counsel will need the opportunity to investigate the Plaintiffs' allegations, and speak with their client prior to filing any answer and/or other response to the Petition.

Plaintiffs' counsel has agreed to Defendant Virgin Australia's request for a forty-five (45) day extension in which to file an answer and/or otherwise respond to the Petition, i.e., on or before December 20, 2007.

Dockets.Justia.com

WHEREFORE, Virgin Mobile Pty, Ltd. respectfully requests that the Court grant this Motion to answer and/or otherwise respond to Plaintiffs' Original Petition on or before December 20, 2007. A proposed order is attached.

Respectfully submitted,

BAKER & McKENZIE LLP

/s/ Lisa H. Meyerhoff

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(VIRGIN AUSTRALIA)

CERTIFICATE OF CONFERENCE

This is to certify that pursuant to LR 7.1, I conferred on November 9, 2007 with Ryan Zehl, counsel for Plaintiffs Susan Chang, as Next Friend of Alison Chang, A Minor, and Justin Ho-Wee Wong regarding "Virgin Mobile Pty, Ltd.'s Unopposed Motion For Extension of Time to File an Answer and/or Otherwise Respond to Plaintiffs' Original Petition." Mr. Zehl advised that Plaintiffs do not oppose this motion.

/s/ Lisa H. Meyerhoff____________________

CERTIFICATE OF SERVICE

I hereby certify that, on the 9th day of November 2007, I electronically filed the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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/s/Lisa H. Meyerhoff____________________